

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

STEVEN G. MILLETT, MELODY J.)
MILLETT, On Behalf of)
Themselves and All Others)
Similarly Situated,) Case No. 05-599-SLR
)
 Plaintiffs,)
)
vs.)
)
TRUELINK, INC., A Trans Union)
Company,)
)
 Defendants.)
)
)

VIDEOTAPED DEPOSITION OF BRIAN MATIS
San Luis Obispo, California
Wednesday, June 27, 2007
8:35 a.m. - 11:05 a.m.

Reported by: Lora L. Shoffstall, RPR, CSR 9271

1 A. Yes, I have.

2 Q. And which version do you have?

3 A. I have the current TransUnion credit
4 monitoring unlimited product.

5 Q. If someone were to give your Social Security
6 number to a law-enforcement individual, would that
7 appear on your credit report?

8 MS. FRIEDMAN: Objection. Calls for
9 speculation. Lack of foundation.

10 THE WITNESS: No, I don't believe it would.

11 BY MS. YEAGER:

12 Q. If someone were to use your Social Security
13 number in order to obtain a driver's license, would
14 that appear on your credit report?

15 MS. FRIEDMAN: Same objection.

16 THE WITNESS: It's not credit-related.

17 BY MS. YEAGER:

18 Q. If someone were to use your Social Security
19 number and report it to their employer in order to have
20 wages withholding and other employment benefits, would
21 that appear on your credit report?

22 MS. FRIEDMAN: Same objection.

23 THE WITNESS: Everything that's appearing on a
24 credit report is determined by the credit bureaus. The
25 last one you mentioned, I think that one actually --

1 Have you ever received an alert that you
2 questioned that you thought perhaps should not have
3 been sent because it should have been directed to
4 another person?

5 A. No, I have not.

6 Q. Have you -- have you had any experience with
7 the types of information which is monitored for
8 changes? Have the same elements always been monitored?

9 MS. FRIEDMAN: Objection. Lack of foundation.
10 And just to clarify, are you talking about monitored by
11 the bureau?

12 BY MS. YEAGER:

13 Q. Has -- does the credit-monitoring product tell
14 you if there are any changes to your credit report?

15 A. No, it does not.

16 Q. What does it tell you about?

17 A. There's specific triggers that the bureau's
18 service is capable of looking into. It's normally
19 things like -- say like the employer information or
20 address or like an account status change. Like if I
21 had an account that was in good-standing and it went to
22 being derogatory, you know, that's one of their
23 triggers.

24 Q. Have they always monitored the same
25 information?

1 BY MS. YEAGER:

2 Q. Correct.

3 A. -- protect myself?

4 Q. Yes.

5 A. No, because I don't necessarily know how
6 somebody is going to try to do something. I'm not -- I
7 don't -- I don't know what techniques criminals may
8 have.

9 Q. Can one of your customers completely protect
10 themselves from identity theft?

11 MS. FRIEDMAN: Objection. Calls for
12 speculation.

13 THE WITNESS: That sounds to me like
14 completely protecting yourself from a car accident, and
15 there's -- there's no conceivable way. You can -- you
16 can provide -- you can do -- you can take a lot of
17 steps.

18 BY MS. YEAGER:

19 Q. What steps can you take to prevent (sic)
20 yourself from identity theft? I think I know about the
21 car. What steps can an individual take to protect
22 themselves from identity theft, to protect oneself from
23 identity theft?

24 A. I know I stated some of this earlier, but
25 it's -- you know, a lot of the advice is shred -- shred

1 your information. Don't -- don't give out your
2 information to random strangers. Keep an eye on your
3 credit records. Be on the lookout for unusual things.
4 Watch your bank statements.

5 Q. What unusual things would you look out for?
6 Did you already answer that question?

7 A. I think so. Accounts you don't recognize,
8 information that's inaccurate.

9 Q. Can credit monitoring completely protect one
10 of your customers from identity theft?

11 MS. FRIEDMAN: Objection. Lack of foundation.
12 Calls for speculation.

13 THE WITNESS: I'd say -- I'd say no. There is
14 no -- no certainties in anything.

15 BY MS. YEAGER:

16 Q. If an individual were to use your Social
17 Security number to obtain employment, would you
18 personally consider that identity theft?

19 A. The term "identity theft" is just extremely
20 broad and depends so much on the context. I'd consider
21 it a bad thing. I'd consider it somebody using my
22 information in a way that I didn't like. But has it
23 damaged me in any way? I mean --

24 Q. So if it damaged you, would you personally
25 consider it identity theft?